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8                   UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE  
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10                   UNITED STATES OF AMERICA,

11                   Plaintiff,

12                   v.

13                   LUKE ST. MARIE,

14                   Defendant.

15                   CASE NO. CR22-0143-LK

16                   DISCOVERY PROTECTIVE  
ORDER

17         This matter comes before the Court on the Government's Unopposed Motion for Entry of  
18         a Discovery Protective Order. Dkt. No. 12. Finding good cause, the Court hereby grants the motion  
and enters the following:

19                   **DISCOVERY PROTECTIVE ORDER**

20         1.     **Definition of "Protected Material"**

21         The discovery in this case includes medical and prescription records related to former  
22         patients of the Defendant Luke St. Marie and to others. These records, as well as additional  
23         discovery materials reflecting those and other records, contain a significant amount of private  
24         medical and personally identifiable information. To ensure this sensitive material is handled

1 carefully and not exposed unnecessarily, it will be marked “PROTECTED” in discovery and  
2 treated as “Protected Material” governed by the terms of this Discovery Protective Order. The  
3 Government will produce copies of the Protected Material to defense counsel to comply with its  
4 discovery obligations.

5 **2. Possession and Disclosure of Protected Material**

6 Possession of the Protected Material is limited to defense counsel, as well as his  
7 investigators, paralegals, assistants, law clerks, and experts (collectively, “members of the defense  
8 team”). Members of the defense team may provide a copy of the Protected Material to St. Marie  
9 so that he may review it. But neither St. Marie nor members of the defense team may disseminate  
10 or disclose Protected Material to anyone who is not a member of the defense team.

11 **3. Consent to the Terms of this Discovery Protective Order**

12 Defense counsel is required to provide a copy of this Order to members of the defense team  
13 and to St. Marie. Prior to providing any Protected Material to members of the defense team or to  
14 St. Marie, defense counsel is required to obtain their written consent to be bound by the terms and  
15 conditions of this Order. The written consent need not be disclosed or produced to the United  
16 States unless requested by the Assistant United States Attorney and ordered by the Court.

17 **4. Filing**

18 Any Protected Material that is filed with the Court in connection with pretrial motions,  
19 trial, or any other proceeding in this or any other matter, shall be filed under seal and shall remain  
20 sealed until otherwise ordered by this Court.

21 **5. Non-Impact on Substantive Discovery Obligations**

22 Nothing in this Order should be construed as imposing any discovery obligations on the  
23 Government or the Defendant that are different from those imposed by case law, Rule 16 of the  
24 Federal Rules of Criminal Procedure, and the Local Criminal Rules.

1        This Order does not limit employees of the United States Attorney's Office for the Western  
2 District of Washington from disclosing the Protected Material to members of the United States  
3 Attorney's Office, federal law enforcement agencies, and to the Court and defense as necessary to  
4 comply with the Government's discovery obligations.

5        **6.        No Concession Regarding Admissibility**

6        In producing the Protected Material to defense counsel, the Government does not concede  
7 it is admissible in any subsequent proceeding in this matter.

8        **7.        Modification**

9        This Order may be modified, as necessary, by stipulation of the parties to the Court and  
10 any other order of the Court.

11        **8.        Nontermination**

12        The provisions of this Order shall not terminate at the conclusion of this prosecution. At  
13 the close of this case, defense counsel shall return all copies of the Protected Material to the office  
14 of the United States Attorney (except as described in the next sentence), or otherwise certify that  
15 the material has been destroyed. Defense counsel may keep one digital copy of the Protected  
16 Material in his files. That digital copy must be kept in a locked facility with access restricted only  
17 to members of the defense team who have agreed to be bound by provisions of this Protective  
18 Order.

19        **9.        Violation of Any Term of this Order**

20        Any person who willfully violates this order may be held in contempt of court and may be  
21 subject to monetary or other sanctions as deemed appropriate by this Court.

1 Dated this 27th day of September, 2022.

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United States District Judge